



**BALTIMORE CITY COUNCIL
ECONOMIC AND COMMUNITY DEVELOPMENT
COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the Committee on Economic and Community Development (ECD) is responsible for supporting strong thriving communities. ECD will review proposed zoning and land use changes, tackle issues related to economic development, oversee housing policy, and promote equitable economic opportunity for all Baltimore residents.

The Honorable Sharon Green Middleton

PUBLIC HEARING

April 1, 2024

2:02 PM

CLARENCE "DU" BURNS COUNCIL CHAMBERS

23-0432

**Rezoning - 3301 Saint Paul Street and 3311 through 3327 Saint Paul
Street**

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BILL SYNOPSIS

Committee: Economic and Community Development

Bill: 23-0432

Title: Rezoning 3301 St. Paul Street & 3311-3327 St. Paul Street

Sponsor: Councilmember Bullock

Introduced: December 4, 2023

Purpose: FOR the purpose of changing the zoning for the properties known as 3301, 3311, 3313, 3315, 3317, 3319, 3321, 3323, and 3327 Saint Paul Street (Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9, and 10), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

BY authority of

- Article - Zoning
- Zoning District Maps
- Sheet 25
- Baltimore City Revised Code
(Edition 2000)

Effective: On the 30th day after enactment

Agency Reports

City Solicitor	Approve for form & sufficiency w/amendment
Dept of Housing & Community Development	Favorable
Fire Dept	Does not Oppose
Baltimore Development Corporation	Does not Oppose
Parking Authority	Favorable
Dept of Transportation	Does not Oppose
BMZA	Defers to Planning
Planning Commission	Favorable with amendments

Analysis

Background

City Law

Under § 5-508(b)(1) of Article 32 – Zoning, and the State Land Use Article, the City Council may approve a rezoning based on a finding that there was either:

1. a substantial change in the character of the neighborhood where the property is located; or
2. a mistake in the existing zoning classification.

Bill Analysis

If enacted this bill would change the zoning classification of the designated properties from R-8 (Traditional urban rowhouse – Limited non-residential use) to C-1 (Commercial Cluster or pedestrian-oriented corridor of commercial use).

These properties are in the Charles Village Neighborhood one block from the Johns Hopkins University Homewood campus. During a previous comprehensive rezoning, there was a petition to zone this area as C-1 but it was designated as R-8.

Proposed Amendments

The Department of Planning is proposing an amendment to remove the property 33-01 Saint Paul Street from this bill. The property is owned by Johns Hopkins Campus and was included in the bill by mistake.

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency Reports, 23-0432 1st reader, Baltimore City Building Code, written testimony, proposed amendments.

Analysis by: Anthony Leva

Direct Inquiries to: 410-396-1091

Analysis Date: March 27, 2024

**CITY OF BALTIMORE
COUNCIL BILL 23-0432
(First Reader)**

Introduced by: Councilmember Ramos
At the request of: Harkesh K. Sharma and Pardeep Kumar
Address: c/o AB Associates, Chase Hoffberger
225 E. Redwood St., Suite 400G
Baltimore, Maryland 21202
Telephone: (512) 536-0763

Introduced and read first time: October 2, 2023

Assigned to: Economic and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community Development, Planning Commission, Board of Municipal and Zoning Appeals, Baltimore Development Corporation, Department of Transportation, Parking Authority of Baltimore City

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Rezoning – 3301 Saint Paul Street and 3311 through 3327 Saint Paul Street**

3 FOR the purpose of changing the zoning for the properties known as 3301, 3311, 3313, 3315,
4 3317, 3319, 3321, 3323, and 3327 Saint Paul Street (Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9,
5 and 10), as outlined in red on the accompanying plat, from the R-8 Zoning District to the
6 C-1 Zoning District.

7 BY amending

8 Article - Zoning
9 Zoning District Maps
10 Sheet 25
11 Baltimore City Revised Code
12 (Edition 2000)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
14 Sheet 25 of the Zoning District Maps is amended by changing from the R-8 Zoning District to
15 the C-1 Zoning District the properties known as 3301, 3311, 3313, 3315, 3317, 3319, 3321,
16 3323, and 3327 Saint Paul Street (Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9, and 10), as outlined in
17 red on the plat accompanying this Ordinance.

18 **SECTION 2. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
19 accompanying plat and in order to give notice to the agencies that administer the City Zoning
20 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
21 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
22 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
23 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
24 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
25 the Zoning Administrator.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 23-0432

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

Economic and Community Development Committee

23-0432

**Rezoning - 3301 Saint Paul Street and 3311
through 3327 Saint Paul Street**

Agency Reports

CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
EBONY THOMPSON
CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

February 21, 2024

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 23-0432 – Rezoning – 3301 Saint Paul Street and 3311 through
3327 Saint Paul Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 23-0432 for form and legal sufficiency. The bill would change the zoning of 3301 and 3311-3327 St. Paul Street from the R-8 Zoning District to the C-1 Zoning District.

Although any number of zoning designations are open for properties in original or comprehensive rezoning, there is not the same flexibility in piecemeal rezoning such as this. *See Mayor and City Council of Rockville v. Rylyns Enterprises*, 372 Md. 514, 535-36 (2002) (explaining the rationale behind rigidity in zoning as protecting landowners and society at large). Even if the Mayor and City Council believes now that the selection of the I-2 Zoning District for this parcel was wrong, second guessing is not allowed in piecemeal rezoning.

However, the Mayor and City Council may permit a piecemeal rezoning if it finds facts sufficient to show either: 1) there was mistake in the original zoning classification; or 2) there has been a substantial change in the character of the neighborhood since the original zoning classification. *Id. See also* Md. Code, Land Use Art., § 10-304(b)(2); Baltimore City Code, Art. 32, §§ 5-508(a) and (b)(1). “The ‘mistake’ option requires a showing that the underlying assumptions or premises relied upon by the legislative body during the immediately preceding original or comprehensive rezoning were incorrect. In other words, there must be a showing of a mistake of fact.” *Rylyns Enterprises*, 372 Md. at 538-39. With regard to the “change” option, “there must be a satisfactory showing that there has been significant and unanticipated change in a relatively well-defined area (the “neighborhood”) surrounding the property in question since its original or last comprehensive rezoning, whichever occurred most recently.” *Id.* at 538. The legal standard for each of these options is discussed in more detail below.

Legal Standard for Change in the Character of the Neighborhood

“It is unquestioned that the City Council has the power to amend its City Zoning Ordinance whenever there has been such a change in the character and use of a district since the original enactment that *the public health, safety, morals, or general welfare would be promoted by a change in the regulations.*” *Cassel v. Mayor and City Council of Baltimore*, 195 Md. 348, 354 (1950) (emphasis added). Thus, the Mayor and City Council must find facts of a substantial change in the character and the use of the district since the last comprehensive rezoning of the property and that the rezoning will promote the “public health, safety, morals, or general welfare” and not merely advantage the property owner. *Id.*

The “substantial change” must be in the “immediate neighborhood” of the subject property, and must be of “such a nature as to have affected its character.” *Clayman v. Prince George’s County*, 266 Md. 409, 418 (1972). Moreover, the required changes must be physical in nature. *Anne Arundel County v. Bell*, 442 Md. 539, 555 (2015) (citations omitted). However, infrastructure changes such as sewer or water extension or road widening do not count. *Id.* at 419. In addition, the physical changes have to be shown to be unforeseen at the time of the last rezoning. *Rylyns Enterprises*, 372 Md. at 538. Contemplated growth and increased density are not sufficient. *Clayman*, 266 Md. at 419.

Legal Standard for Mistake

To sustain a piecemeal change on the basis of a mistake in the last comprehensive rezoning, there must be substantial evidence that “the Council failed to take into account then existing facts . . . so that the Council’s action was premised on a misapprehension.” *White v. Spring*, 109 Md. App. 692, 698 (1996) (citation omitted). In other words, “[a] conclusion based upon a factual predicate that is incomplete or inaccurate may be deemed in zoning law, a mistake or error; an allegedly aberrant conclusion based on full and accurate information, by contrast, is simply a case of bad judgment, which is immunized from second-guessing.” *Id.* “Thus, unless there is probative evidence to show that there were then existing facts which the Council, in fact, failed to take into account, or subsequently occurring events which the Council could not have taken into account, the presumption of validity accorded to comprehensive zoning is not overcome and the question of error is not ‘fairly debatable.’” *Boyce v. Sembly*, 25 Md. App. 43, 52 (1975) (citations omitted).

A court has not considered it enough to merely show that the new zoning would make more logical sense. *Greenblatt v. Toney Schloss Properties Corp.*, 235 Md. 9, 13-14 (1964). Nor are courts persuaded that a more profitable use of the property could be made if rezoned is evidence of a mistake in its current zoning. *Shadynook Imp. Ass’n v. Molloy*, 232 Md. 265, 272 (1963). Courts have also been skeptical of finding a mistake when there is evidence of careful consideration of the area during the past comprehensive rezoning. *Stratakis v. Beauchamp*, 268 Md. 643, 653-54 (1973).

Avoiding Spot Zoning

In piecemeal rezoning bills, like this one, if there is not a factual basis to support the change or the mistake, then rezoning is considered illegal spot zoning. *Cassel*, 195 Md. at 355. Spot zoning “has appeared in many cities in America as the result of pressure put upon councilmen to pass

amendments to zoning ordinances solely for the benefit of private interests.” *Id.* It is the “arbitrary and unreasonable devotion of a small area within a zoning district to a use which is inconsistent with the use to which the rest of the district is restricted.” *Id.* It is “therefore, universally held that a ‘spot zoning’ ordinance, which singles out a parcel of land within the limits of a use district and marks it off into a separate district for the benefit of the owner, thereby permitting a use of that parcel inconsistent with the use permitted in the rest of the district, is invalid if it is not in accordance with the comprehensive zoning plan and is merely for private gain.” *Id.*

However, “a use permitted in a small area, which is not inconsistent with the use to which the larger surrounding area is restricted, although it may be different from that use, is not ‘spot zoning’ when it does not conflict with the comprehensive plan but is in harmony with an orderly growth of a new use for property in the locality.” *Id.* Examples include “small districts within a residential district for use of grocery stores, drug stores and barber shops, and even gasoline filling stations, for the accommodation and convenience of the residents of the residential district.” *Id.* at 355-356.

Thus, to avoiding spot zoning, the Mayor and City Council must show how the contemplated use is consistent with the character of the neighborhood. *See, e.g., Tennison v. Shomette*, 38 Md. App. 1, 8 (1977) (cited with approval in *Rylyns Enterprises*, 372 Md. at 545-46).

Additional Required Findings of Fact

In addition to finding that there was either a substantial change in the character of the neighborhood or a mistake in the original zoning classification, the Mayor and City Council is required to make findings of fact on the following matters:

- (i) population change;
- (ii) the availability of public facilities;
- (iii) present and future transportation patterns;
- (iv) compatibility with existing and proposed development for the area;
- (v) the recommendations of the Baltimore City Planning Commission and the Board [of Municipal and Zoning Appeals]; and
- (vi) the relationship of the proposed amendment to Baltimore City’s plan.

Md. Code, Land Use, § 10-304(b)(1); Baltimore City Code, Art. 32, § 5-508(b)(2).

The Mayor and City Council must also consider:

- (i) existing uses of property within the general area of the property in question;
- (ii) the zoning classification of other property within the general area of the property in question;
- (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; and

- (iv) the trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present zoning classification.

Baltimore City Code, Art. 32, § 5-508(b)(3).

The Mayor and City Council's decision regarding a piecemeal rezoning is reviewed under the substantial evidence test and should be upheld "if reasoning minds could reasonably reach the conclusion from facts in the record." *City Council of Prince George's Cty. v. Zimmer Dev. Co.*, 444 Md. 490, 510 (2015) (citation omitted); *see also White*, 109 Md. App. at 699 ("the courts may not substitute their judgment for that of the legislative agency if the issue is rendered fairly debatable"); *accord Floyd v. County Council of Prince George's County*, 55 Md. App. 246, 258 (1983) ("substantial evidence' means a little more than a 'scintilla of evidence.'").

Planning Commission Recommendation

The Planning Department Report ("Report") supports this rezoning, with an amendment to remove 3301 St. Paul because it was included in error. The Report states there was a mistake in zoning these properties as R-8 during the Transform Baltimore comprehensive rezoning process. Although the owners of some of the lots had petitioned for commercial rezoning, they were inexplicably denied while surrounding blocks were rezoned. Report at 3. The Report mentions a memorandum from the applicant that supports the finding of mistake, but that letter does not appear to be in the online bill file.

The Report also makes findings on each of the additional required matters outlined in the previous section.

Process Requirements

The City Council is required to hold a quasi-judicial public hearing with regard to the bill wherein it will hear and weigh the evidence as presented in: (1) the Planning Report and other agency reports; (2) testimony from the Planning Department and other City agency representatives; and (3) testimony from members of the public and interested persons. After weighing the evidence presented and submitted into the record before it, the Council is required to make findings of fact about the factors in Section 10-304 of the Land Use Article of the Maryland code and Section 5-508 of Article 32 of the Baltimore City Code. If, after its investigation of the facts, the Committee makes findings which support: (1) a mistake in the comprehensive zoning or a substantial change in the neighborhood; and (2) a new zoning classification for the properties, it may adopt these findings and the legal requirements for granting the rezoning would be met.

Additionally, certain procedural requirements apply to this bill beyond those discussed above because a change in the zoning classification of a property is deemed a "legislative authorization." Baltimore City Code, Art. 32, § 5-501(2)(iii). Specifically, notice of the City Council hearing must be given by publication in a newspaper of general circulation in the City, by posting in a conspicuous place on the property and by first-class mail, on forms provided by the

Zoning Administrator, to each person who appears on the tax records of the City as an owner of the property to be rezoned. Baltimore City Code, Art. 32, § 5-601(b). The notice of the City Council hearing must include the date, time, place, and purpose of the hearing, as well as the address or description of the property and the name of the applicant. Baltimore City Code, Art. 32, § 5-601(c). The posted notices must be at least 3 feet by 4 feet in size, placed at a prominent location near the sidewalk or right-of-way for pedestrians and motorists to view, and at least one sign must be visible from each of the property's street frontages. City Code, Art., § 5-601(d). The published and mailed notices must be given at least 15 days before the hearing, and the posted notice must be provided at least 30 days before the public hearing. Baltimore City Code, Art. 32, § 5-601(e), (f).


The bill is the appropriate method for the City Council to review the facts and make the determination as to whether the legal standard for rezoning has been met. Assuming the required findings are made at the hearing, all procedural requirements are satisfied, and the bill is amended to remove 3301 as recommended by the Planning Commission, the Law Department can approve the bill for form and legal sufficiency.

Sincerely,



Jeffrey Hochstetler
Chief Solicitor

cc: Ebony Thompson, Acting City Solicitor
Nina Themelis, Mayor's Office of Government Relations
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Chief Solicitor
Michelle Toth, Special Solicitor
Teresa Cummings, Assistant Solicitor

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #23-0432 / REZONING – 3301 AND 3311 THROUGH 3327 SAINT PAUL STREET		

TO The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

DATE: December 26, 2023

At its regular meeting of December 21, 2023, the Planning Commission considered City Council Bill #23-0432, for the purpose changing the zoning for the properties known as 3301, 3311, 3313, 3315, 3317, 3319, 3321, 3323, and 3327 Saint Paul Street (Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9, and 10), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District..

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #23-0432 and adopted the following resolutions, with eight members being present (eight in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #23-0432 be **amended and approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office
The Honorable Eric Costello, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Ms. Rebecca Witt, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Stephanie Murdock, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Liam Davis, DOT
Ms. Natawna Austin, Council Services
Mr. Al Barry, AB Associates



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman, Eric Stephenson, Vice Chair

STAFF REPORT



Chris Ryer
Director

December 21, 2023

REQUEST: City Council Bill #23-0432 / Rezoning – 3301 Saint Paul Street and 3311 through 3327 Saint Paul Street:

For the purpose of changing the zoning for the properties known as 3301, 3311, 3313, 3315, 3317, 3319, 3321, 3323, and 3327 Saint Paul Street (Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9, and 10), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

RECOMMENDATION: Adopt the findings of fact, Amendment, and Approval, with the following amendments:

- That the property known as 3301 Saint Paul be removed from the bill title on Line 2, Page 1.
- That the property known as 3301 Saint Paul be removed from the list of properties to be rezoned on Line 3, Page 1.
- That the text referencing Lot 10 be removed from Line 5, Page 1.
- That the property known as 3301 Saint Paul be removed from the text on Line 15, Page 1.
- That the text referencing Lot 10 be removed from Line 16, Page 1.
- That the red outline be removed from 3301 Saint Paul (Block 3871, Lot 10) on the plat map exhibit, page 1, accompanying the bill.
- That the red dot be removed from 3301 Saint Paul (Block 3871, Lot 10) on the plat map exhibit, page 2, accompanying the bill.
- That the map exhibits be replaced with the amended exhibits attached to this Staff Report.

STAFF: Renata Southard

PETITIONER: Harkesh K. Sharma and Pardeep Kumar, c/o AB Associates, Charles Hoffberger

OWNERS: Harkesh K. Sharma and Pardeep Kumar

Address	Block	Lot	Owner
3301 Saint Paul Street	3871	10	Johns Hopkins University, The
3311 Saint Paul Street	3871	9	Kumar, Pardeep
3313 Saint Paul Street	3871	8	Sharma, Harkesh K.
3315 Saint Paul Street	3871	7	Sharma, Harkesh K.
3317 Saint Paul Street	3871	6	Tambers Holdings, LLC

3319 Saint Paul Street	3871	5	Carry, Virginia K.
3321 Saint Paul Street	3871	4	Sharma, Harkesh K.
3323 Saint Paul Street	3871	3	Sharma, Harkesh K.
3325 Saint Paul Street	3871	1/2	Sharma, Harkesh K.

SITE/GENERAL AREA

Site Conditions: This site is located on the eastern side of the street, between Saint Paul Street and Hargrove Street, north of E. 33rd Street. The properties are approximately rectangular in shape, containing 0.77± acres of land. Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9, are improved with two-story rowhouses, and Block 3871, Lot 10 is improved with an eight-story residential building.

General Area: These properties are located in the Charles Village Neighborhood, to the immediate north of North Charles Village Planned Unit Development (PUD) #91, the first community led PUD within the City of Baltimore. Union Memorial Hospital is to the immediate north and east of Block 3871, and the Johns Hopkins University Homewood Campus is one block to the west of this site. On the north edge of the neighborhood, roughly one block north of the site, University Parkway divides the Charles Village Neighborhood from the Oakenshawe Neighborhood on a northwest – southeast angle.

HISTORY

- The properties located at Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9, were previously zoned R-8 under the prior Zoning Code and retained that zoning in the City-wide Comprehensive Rezoning despite petitioning the then Councilperson for a change to C-1 zoning.
- The property located at Block 3871, Lots 10 was previously zoned R-10 under the prior Zoning Code and retained that zoning in City-wide Comprehensive Rezoning.
- On May 25, 2022, the Charles Village Civic Association, Inc. sent a letter to owners impacted by the proposed rezoning to inform them of the action. Applicant supplied a copy of these letters to Planning on December 12, 2023.

ZONING REQUIREMENTS

Below are the approval standards under §5-508(b) of Article 32 – *Zoning* for proposed zoning map amendments:

(b) *Map amendments.*

(1) *Required findings.*

As required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either:

- (i) a substantial change in the character of the neighborhood where the property is located; or
- (ii) a mistake in the existing zoning classification.

(2) *Required findings of fact.*

In making the determination required by subsection (b)(1) of this section, the City Council must also make findings of fact that address:

- (i) population changes;
- (ii) the availability of public facilities;
- (iii) present and future transportation patterns;
- (iv) compatibility with existing and proposed development for the area;
- (v) the recommendations of the City agencies and officials; and

- (vi) the proposed amendment's consistency with the City's Comprehensive Master Plan.
- (3) *Additional standards – General*
Additional standards that must be considered for map amendments are:
 - (i) existing uses of property within the general area of the property in question;
 - (ii) the zoning classification of other property within the general area of the property in question;
 - (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; and
 - (iv) the trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present zoning classification.

ANALYSIS

The group of rowhouse buildings located at 3311 through 3327 Saint Paul Street (Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, and 9) are surrounded by a 10-story parking garage to the immediate north, a 6-story parking garage to the immediate east, an 8-story multi-family residential building to the south located at 3301 Saint Paul Street (Block 3871, Lot 10, also proposed to be rezoned by this ordinance), and two 8-story buildings across Saint Paul Street, including one multi-family building and one mixed-use building with ground floor retail and multi-family housing above. Lots 1 and 2 were consolidated at some point in the past and are referred to as Lot 1.

At the time of the Comprehensive Rezoning, Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, and 9 (the rowhouses located at 3311 through 3327 Saint Paul Street) were zoned R-8, and Block 3871, Lot 10 (the 8-story multi-family building located at 3301 Saint Paul Street) was zoned R-10. Much of the surrounding neighborhood, including the immediately adjacent blocks to the north, east, south, and west were also zoned R-10. The owners of Block 3871, Lots 1 and 3 owned and operated a restaurant out of 3327 Saint Paul Street (Block 3871, Lot 1). The restaurant had been a non-conforming use under the prior code, Zoning Code of Baltimore City (Last Amended by Ord. 15-435) but has been open and continuously run by the same owner since 1991. Under the current code, Article 32 – Zoning, the use is Conditional to the Board, per § 14-328. Neighborhood commercial establishments.

At the time of the Comprehensive Rezoning, the owner of Block 3871, Lots 1 and 3, and other property owners were considering changing the use of some of the buildings from residential at the ground floor to commercial uses at the ground floor with residential use above and petitioned to have their property rezoned. Since it was part of the City-wide Comprehensive Rezoning effort, it was not necessary at the time to meet the factors required for rezoning of land, as the Commission must do when considering properties by themselves. The prior Councilperson disagreed and did not rezone the properties, despite rezoning blocks immediately to the north and east to the H zoning district and rezoning the blocks immediately to the south to the C-1 zoning district.

After the CCB #23-0432 was introduced, Planning staff had a meeting with a legal representative of Johns Hopkins University. During that meeting, the rezoning of 3301 Saint Paul Street was discussed, and the representative of Johns Hopkins University stated they were unaware of the intent of the owner, Johns Hopkins University, to rezone the property. Planning staff then contacted the bill's sponsor, Councilperson Odette Ramos, to inquire about the inclusion of 3301 Saint Paul Street within CCB # 23-0432. Councilperson Ramos confirmed that this property,

3301 Saint Paul Street (Block 3871, Lot 10) had been included in CCB # 23-0432 in error and that the property was not intended to be rezoned from R-10 to C-1, and as a result Planning is recommending a series of amendments to correct this mistake.

Required Findings:

Per §5-508(b)(1) of Article 32 – *Zoning*, and as required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either: (i) a substantial change in the character of the neighborhood where the property is located; or (ii) a mistake in the existing zoning classification. The Applicant has submitted a memorandum in support of the rezoning with rationale to support a finding of a mistake.

Maryland Land Use Code – Requirements for Rezoning:

The Land Use Article of the Maryland Code requires the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA) to study the proposed changes in relation to: 1. The plan; 2. The needs of Baltimore City; and 3. The needs of the particular neighborhood in the vicinity of the proposed changes (*cf.* MD Code, Land Use § 10-305 (2023)). In reviewing this request, the staff finds that:

- 1. The Plan:** This site is not located within any specific neighborhood plan areas but is adjacent to the North Charles Village PUD #91. The proposed change from R-8 and R-10 zoning districts to C-1 district align with the North Charles Village PUD #91, with regard to both the geography and the intended commercial use along Saint Paul Street.
- 2. The needs of Baltimore City:** There is benefit to the City in creating nodes of compatible zoning and contiguous commercial uses along main corridors. Rezoning the odd side of the 3300 block of Saint Paul Street (3311 through 3327 or Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, and 9), continues a pattern of C-1 zoning along the east side of the street from 3101 through 3327 Saint Paul Street. Additionally, Saint Paul Street is listed as a Principal Arterial Street by MDOT.
- 3. The needs of the particular neighborhood:** This site is located in a neighborhood that has experienced a change of density and use over the last 25 years, moving from a primarily medium-density residential rowhouse neighborhood to a mix of commercial and higher-density multi-family buildings. This block of lower density rowhouses being rezoned to C-1 provides a wider variety of opportunities for small ground floor commercial uses in this location and makes sense based on the context. There is low likelihood of negative impacts to any nearby residents.

Similarly, the Land Use article, also adopted by Article 32 – *Zoning* §5-508(b)(2), requires the City Council to make findings of fact (MD Code, Land Use § 10-304 (2023)). The findings of fact include:

- 1. Population changes;** This site is located in the Charles Village neighborhood. Between 2010 and 2020, population dropped by 2% from 8,906 to 8,794 (a total of loss of 112 residents). Residents in Charles Village are a mix of permanent and temporary or transitory, due to the neighborhood’s close proximity to the neighboring Johns Hopkins

University. A slight drop in population may have a direct relationship to student enrollment but this relationship has not been studied.

2. **The availability of public facilities;** This area is well served by City infrastructure, which is not expected to change. As the buildings on these sites are to be retained, there will be no change to that infrastructure, or for the provision of adequate services.
3. **Present and future transportation patterns;** As the property has not practically changed in its use, there are no expected impacts.
4. **Compatibility with existing and proposed development for the area;** The property is surrounded by commercial uses, hospital uses, and higher-density multi-family residential uses. As no change is proposed for the immediate use of the property, there are no expected changes in compatibility. A future change to more commercial may impact the neighborhood positively, serving the residents and employees of the hospital.
5. **The recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA);** For the above reasons, the Planning Department will recommend approval of the rezoning request to the Planning Commission. The BMZA has not yet commented on this bill.
6. **The relation of the proposed amendment to the City's plan.** There are no relevant specific plans for this area that would affect the consideration of this bill.

There are additional standards under Article 32 – *Zoning* §5-508(b)(3) that must be considered for map amendments. These include:

- (i) **existing uses of property within the general area of the property in question;** These properties are located adjacent to properties with high-density residential uses to the west, commercial uses to the west and south, and hospital use to the east and north.
- (ii) **the zoning classification of other property within the general area of the property in question;** These properties are located adjacent to properties zoned R-10 High-density Residential Districts to the west, C-1 Neighborhood Business Districts to the south, and H-1 Hospital Districts to the north and east.
- (iii) **the suitability of the property in question for the uses permitted under its existing zoning classification;** As the use of the property will not change immediately, it will continue to be suitable for continued commercial and residential use. Correcting the zoning from R-8 to C-1 for the property located at 3329 Saint Paul Street (Block 3871, Lot 1) will also allow the long-operating restaurant to become a conforming use under Article 32 – *Zoning*.
- (iv) **and the trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present zoning classification.** There have not been significant changes from development in the immediate area of this property since 2017. Changes in the neighborhood prior to the 2017 adoption of Article 32 – *Zoning*, and the continued demand for housing and commercial development is apparent. The change from R-8 to C-1 on the neighboring block of 3200 block of Saint Paul Street, under the Comprehensive Rezoning, signal a mistake was made with this block remaining R-8.

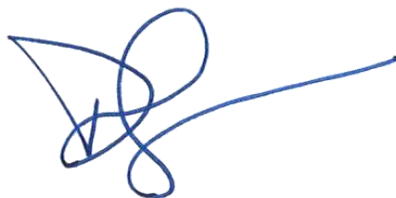
Below is the staff’s review of the required considerations of §5-508(b)(3) of Article 32 – *Zoning*, where staff finds that this change is in the public’s interest, in that it will retain commercial zoning in a compact node of commercial and residential uses, essentially undoing the mistake made in the Comprehensive Rezoning process.

Staff understands that the owner of this parcel believed there were possibilities of commercial use interest for the group of parcels included in this bill and made requests for a zoning change to C-1 as part of the Comprehensive Rezoning of the City prior to the 2017 adoption of Article 32 – *Zoning*. The C-1 zoning was not adopted for the parcels listed in CCB # 23-0432 as part of the official zoning map, and they retained their R-8 and R-10 zoning. Over the years since the 2017 effective date of the current zoning code, there has been continued demand for commercial uses in this part of the Charles Village Neighborhood. Allowing the commercial designation for these properties is the most reasonable option, ensuring that the use of Block 3871, Lot 1 does not remain a conditional use (as a restaurant). Additionally, the residential uses are allowed within the C-1 zone and would not be non-conforming if a change was made from R-8 to C-1 zoning. A summary of the changes is attached below.

Equity:

Staff does not believe that the change in zoning for these parcels will have any particular impact on the surrounding properties, nor on any area residents, as the practical use of the parcel has not changed. Staff does not anticipate any impact on staff time or resources as a result from this action. There has been some concern from residents about preserving the historical character of this block; however, there are not currently any protections in place that would prevent the existing buildings from being replaced with a contemporary building under the current zoning of R-8. A change in zoning does not directly impact preservation of this block; it could be argued that allowing a wider variety of uses under the C-1 zoning may prolong use of these buildings, however, per Article 32 – *Zoning* § 14-328 some commercial uses are already allowed, as the buildings are existing. If the buildings are demolished and a new development was constructed, the existing restaurant would not be allowed by right under the current R-8 zoning.

Notification: The Charles Village Civic Association has been notified of this action. Additionally, on December 12, 2023, Planning staff sent notification to 675 individuals in the Northern Planning District, 233 of which are residents and elected or generally interested parties.



Chris Ryer
Director

Summary of changes under CCB #12-0152 - TransForm Baltimore – Zoning:

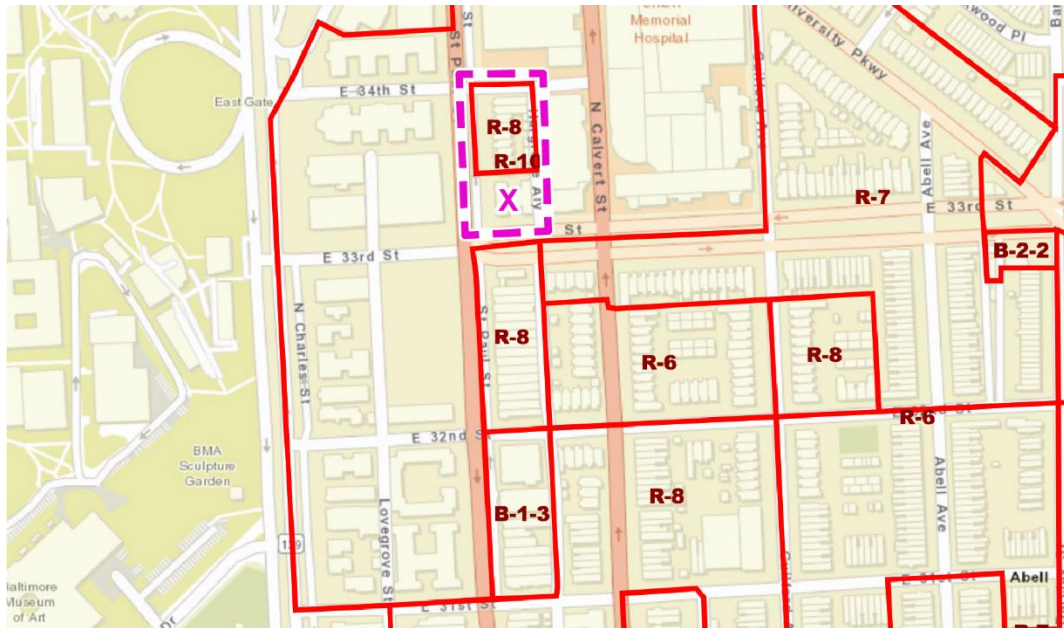


Figure 2: Prior Zoning: before adoption of Article 32 – Zoning (2017). Note 3301 Saint Paul with the X is proposed to be removed from CCB # 23-0432 with an amendment suggested by Planning Staff.



Figure 3: Excerpt from First Reader Map, sheet 3-C (2012). Dark green indicates R-10, dark blue indicates H-1, and light pink indicates C-1. Note 3301 Saint Paul with the X is proposed to be removed from CCB # 23-0432 with an amendment suggested by Planning Staff.

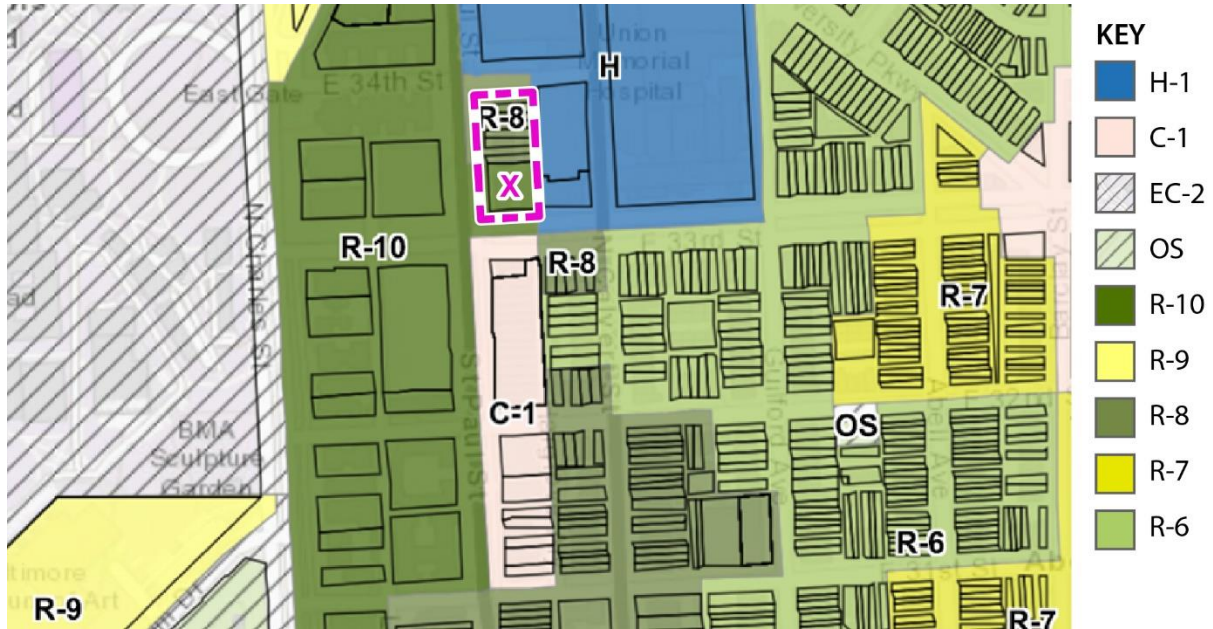
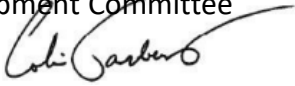


Figure 4: Current Zoning (enacted 2017). Dark green indicates R-10, dark blue indicates H-1, and light pink indicates C-1. Note 3301 Saint Paul with the X is proposed to be removed from CCB # 23-0432 with an amendment suggested by Planning Staff.



MEMORANDUM

DATE: February 27, 2024
TO: Economic and Community Development Committee
FROM: Colin Tarbert, President and CEO 
POSITION: Favorable
SUBJECT: Council Bill 23-0432 Rezoning – 3301 Saint Paul Street and 3311 through 3327 Saint Paul Street

INTRODUCTION

The Baltimore Development Corporation (BDC) is reporting on City Council Bill 23-0432 introduced by Councilmember Ramos.

PURPOSE

This bill will change the zoning for the properties known as 3301, 3311, 3313, 3315, 3317, 3319, 3321, 3323, and 3327 Saint Paul Street (Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9, and 10) from R-8 to C-1.

BRIEF HISTORY

These properties constitute most of the eastern half of the 3100 block of Saint Paul Street. Currently, they contain a variety of rowhouse structures featuring ground level retail with residences overhead, as well as a single-story grocery store. These properties are slated for a large, mixed-use redevelopment that will preserve the grocery store and add additional residences and businesses to this block of St. Paul Street; accordingly, the proposed zoning change will facilitate construction of this project. Additionally, 3301 St. Paul Street will be omitted from the proposed rezoning as this property was added to the bill erroneously. Its omission is addressed via a proposed amendment.

FISCAL IMPACT [to BDC]


None.

AGENCY POSITION

The Baltimore Development Corporation respectfully submits a **favorable** report on City Council Bill 23-0432. If you have any questions, please contact Kim Clark at 410-837-9305 or KClark@baltimoredevelopment.com.

cc: Nina Themelis, Mayor's Office of Government Relations

[SO]

F R O M	NAME & TITLE	Corren Johnson, Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	Council Bill 23-0432		

DATE: 3/27/2024

TO: Mayor Brandon Scott
TO: Economic and Community Development Committee
FROM: Department of Transportation
POSITION: **No Objection**
SUBJECT: Council Bill 23-0432

INTRODUCTION – Rezoning - 3301 Saint Paul Street and 3311 through 3327 Saint Paul Street

PURPOSE/PLANS – For the purpose of changing the zoning for the properties known as 3301, 3311, 3313, 3315, 3317, 3319, 3321, 3323, and 3327 Saint Paul Street (Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9, and 10), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

COMMENTS – Council Bill 23-0432 seeks to change the zoning classification of 3301 Saint Paul Street and 3311 through 3327 Saint Paul Street from the R-8 Zoning District to the C-1 Zoning District. Per the legislation’s Statement of Intent, the identified properties would be re-developed into offices and retail space. Any major development along the corridor would be subject to a traffic impact analysis and subsequent traffic mitigation plan. This change in use would effectively extend the Saint Paul Street commercial corridor north by a block. This corridor currently stretches from 31st Street north to 33rd Street and is home to numerous pedestrian-oriented businesses.

AGENCY/DEPARTMENT POSTION – Baltimore City Department of Transportation foresees no direct operational or fiscal impact resulting from the legislation and has **no objection** towards the advancement of Council Bill 23-0432.


If you have any questions, please do not hesitate to contact Liam Davis at Liam.Davis@baltimorecity.gov or at 410-545-3207

Sincerely,

Corren Johnson,
Director



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Alice Kennedy, Housing Commissioner 
DATE	April 2, 2024
SUBJECT	CCB 23-0432 Rezoning - 3301 Saint Paul Street and 3311 through 3327 Saint Paul Street

The Honorable President and
Members of the City Council
City Hall, Room 400

04/02/2024

Position: Favorable

Introduction

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 23-0432 Rezoning - 3301 Saint Paul Street and 3311 through 3327 Saint Paul Street for the properties known as 3301, 3311, 3313, 3315, 3317, 3319, 3321, 3323, and 3327 Saint Paul Street (Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9, and 10), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

If enacted, City Council Bill 23-0432 would rezone the properties known as 3301, 3311, 3313, 3315, 3317, 3319, 3321, 3323, and 3327 Saint Paul Street from the R-8 Residential Zoning District to the C-1 Commercial Zoning District.

DHCD Analysis

At its regular meeting of December 21, 2023, the Planning Commission concurred with the recommendation of its departmental staff and recommended that City Council Bill 23-0432 be amended and approved by the City Council. The amendments suggested by the Planning Commission concern the removal of 3301 St. Paul St. from the bill, which had been included by mistake.

Planning staff noted in their report that at the time of the Comprehensive Rezoning property owners and the then Councilmember, considered changing the Zoning of some of the buildings from residential to commercial to support existing ground floor commercial uses such as restaurants, however, the properties retained their prior residential Zoning. The Planning

Commission found that this change is in the public's interest, in that it will retain commercial zoning in an area of commercial and residential uses and undo mistakes made in the Comprehensive Rezoning process.

This Bill does not have an operational or fiscal impact on DHCD and the re-zoning would not endanger public health, safety or welfare. The property does not lie within any of DHCD's Impact Investment Areas or Community Development Zones but is located within a Streamlined Code Enforcement Area.

Allowing the commercial designation for these properties aligns with the nearby North Charles Village PUD with its intended commercial and residential uses along Saint Paul Street and may provide a wider variety of opportunities for small ground floor commercial uses in this location. There has been continued demand for commercial uses in this area and this rezoning may benefit nearby Charles Village Neighborhood residents.

Conclusion

DHCD respectfully requests a **favorable** report on City Council Bill 23-0432.

CITY OF BALTIMORE

Brandon M. Scott, Mayor



BOARD OF MUNICIPAL AND
ZONING APPEALS

Rebecca Lundberg Witt, *Executive Director*

October 3, 2023

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

**Re: CC Bill #23-0432 Rezoning- 3301 Saint Paul Street and 3311 through 3327
Saint Paul Street**

Ladies and Gentlemen:

City Council Bill No. 23-0432 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 23-0432 is to change the zoning for the properties known as 3301, 3311, 3313, 3315, 3317, 3319, 3321, 3323, and 3327 Saint Paul Street (Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9, and 10), from the R-8 Zoning District to the C-1 Zoning District. BMZA is deferring its recommendation on the legislation to that of the report and recommendation of the Planning Commission.

Sincerely,

A handwritten signature in black ink that reads "Rebecca R. Witt".

Rebecca Lundberg Witt
Executive Director

CC: Mayor's Office of Council Relations
City Council President
Legislative Reference

Economic and Community Development Committee

23-0432

**Rezoning - 3301 Saint Paul Street and 3311
through 3327 Saint Paul Street**

Public Testimony



Odette Ramos

Baltimore City Councilwoman

District 14

(410) 396 - 4814

odette.ramos@baltimorecity.gov

100 N. Holliday Street, Room 506

Baltimore MD 21202

Testimony

23-0432 Rezoning 3301 St. Paul Street and 3311-3327 St. Paul Street

SUPPORT with Planning Commission Amendments

April 2, 2024

Dear Chair Middleton and Distinguished Members of the Economic and Community Development Committee:

I am writing to ask your support for 23-0432 Rezoning 3301 St. Paul Street and 3311-3327 St. Paul Street with the Planning Commission's amendments. The current zoning is R-8 and the new zoning would be to the C-1 Zoning district. The finding of fact support the "mistake" criteria for rezoning.

This rezoning is requested by the owner of Tamber's Restaurant who is also the owner of almost the entire block. The goal is to allow Tamber's Restaurant to have outdoor dining, and also to fulfill the owner's vision of having a combination of retail and residential in the historic homes on that block - similar to what we have in Hampden. Notice was given to the only other owner on that block.

The Planning Commission amendments remove one property – 3301 St. Paul – that was inadvertently included in the bill. The owner of that property is the John's Hopkins University.

There were at least three meetings with community members and the Charles Village Land Use Committee over the past 18 months related to this and another bill regarding a property two blocks down. This particular rezoning has the support of the community.

Thank you for your favorable vote on this bill.

I can be reached on 410-396-4814 or via email at odette.ramos@baltimorecity.gov should you have any further questions.

Sincerely,

Odette Ramos
Baltimore City Councilwoman
District 14

Re: Follow up from Meeting re: 3100 St. Paul Development

Middleton, Sharon (City Council) <Sharon.Middleton@baltimorecity.gov>

Tue 4/2/2024 1:34 PM

To: Daniel Chemers <dchemers@gmail.com>

Cc: Leva, Anthony F (City Council) <anthony.leva@baltimorecity.gov>

In receipt.

Sharon Middleton

Sent from my Verizon, Samsung Galaxy smartphone

Get [Outlook for Android](#)

From: Daniel Chemers <dchemers@gmail.com>

Sent: Tuesday, April 2, 2024 1:09:18 PM

To: Middleton, Sharon (City Council) <Sharon.Middleton@baltimorecity.gov>

Subject: Fwd: Follow up from Meeting re: 3100 St. Paul Development

CAUTION: This email originated from outside of Baltimore City IT Network Systems.

Reminder: [DO NOT](#) click links or open attachments unless you recognize the sender and know that the content is safe. Report any suspicious activities using the Report Phishing Email Button, or by emailing to Phishing@baltimorecity.gov

Dear Councilwoman Middleton:

I understand the Economic and Community Development Committee is reviewing the development proposal for 3100 St. Paul Street. Last summer I attended a meeting concerning that proposal and, soon afterwards, sent an email to Councilwoman Ramos explaining why I supported the proposal. I am forwarding that email to you (see below), as I continue to believe everything I said is entirely correct and I want you and other members of your committee to be aware of my strong support of the proposed development.

Best regards,
Dan Chemers

----- Forwarded message -----

From: **Daniel Chemers** <dchemers@gmail.com>

Date: Sat, Aug 5, 2023 at 12:22 PM

Subject: Re: Follow up from Meeting re: 3100 St. Paul Development

To: Ramos, Odette (City Council) <Odette.Ramos@baltimorecity.gov>

Dear Councilwoman Ramos:

Thanks for soliciting my thoughts on the proposed project.

In my mind, what's most important is that the planned project will enable Charles Village to have a first-rate grocery. This is something Charles Village has sorely lacked during my 40 years living in this area (with all due respect, the old Eddie's Market was never first-rate and, regardless, is now just a memory.) The Streets Market, after completion of the proposed renovations to its space, will be a first-rate market that will benefit a multitude of residents of Charles Village and the surrounding communities. When completed, this project will be a big win for Charles Village, for the surrounding communities, and for the City of Baltimore....at a time when every win, particularly every big win, is critically important.

Based upon what I heard and understand, the developers have made very significant changes to their plans in order to address community concerns. The developers agreed to these changes even though they obviously altered the economics of the project, making it a riskier proposition. The developers have made clear (and this also seems obvious) that there cannot be further significant changes because that would make the project unfinanceable, torpedoing the project and depriving all residents of a first-rate market and various associated amenities, such as an improved streetscape.

I listened attentively to those opposed to the project and was not persuaded by their expressed concerns. Change is inevitable in cities, with the only question being whether the change will be positive (as proposed here) or one that will be negative, with less investment, more decline, fewer amenities available, fewer trees on the streets, and more broken sidewalks and more broken spirits. Compared to the benefits the proposed project will clearly provide, the remaining complaints registered by a handful of individuals seemed slight in nature, animated by a reflexive allergy to change, an inability to imagine the benefits of the proposed project and an unwillingness to recognize and place value the common interest.

I respectfully ask you to support the proposed project and help head both our area and our City in a positive direction.

Best regards,
Dan Chemers

On Mon, Jul 31, 2023 at 5:53 PM Ramos, Odette (City Council) <Odette.Ramos@baltimorecity.gov> wrote:

Good afternoon

You are receiving this email because you signed in-to the meeting regarding the 3100 Block of St. Paul, and we could read your handwriting.

Thank you for attending the meeting regarding 3100 St. Paul Street development on last Tuesday. I again want to apologize for being late to the meeting.

As I stated at the end of the meeting, please send me your thoughts on the project. Some of you have already done so and I really appreciate it. I am looking forward to the input.

Thanks

Councilwoman Odette Ramos

Odette Ramos

Baltimore City Councilwoman, District 14

Odette.ramos@baltimorecity.gov

www.odetteramos.com

Office: 410-396-4814

Mobile: 443-801-8137

Economic and Community Development Committee

23-0433

**Rezoning - 3301 Saint Paul Street and 3311
through 3327 Saint Paul Street**

Additional Materials

**AMENDMENTS TO COUNCIL BILL 23-0432
(1st Reader Copy)**

By: Department of Planning
{To be offered to the Economic and Community Development Committee}

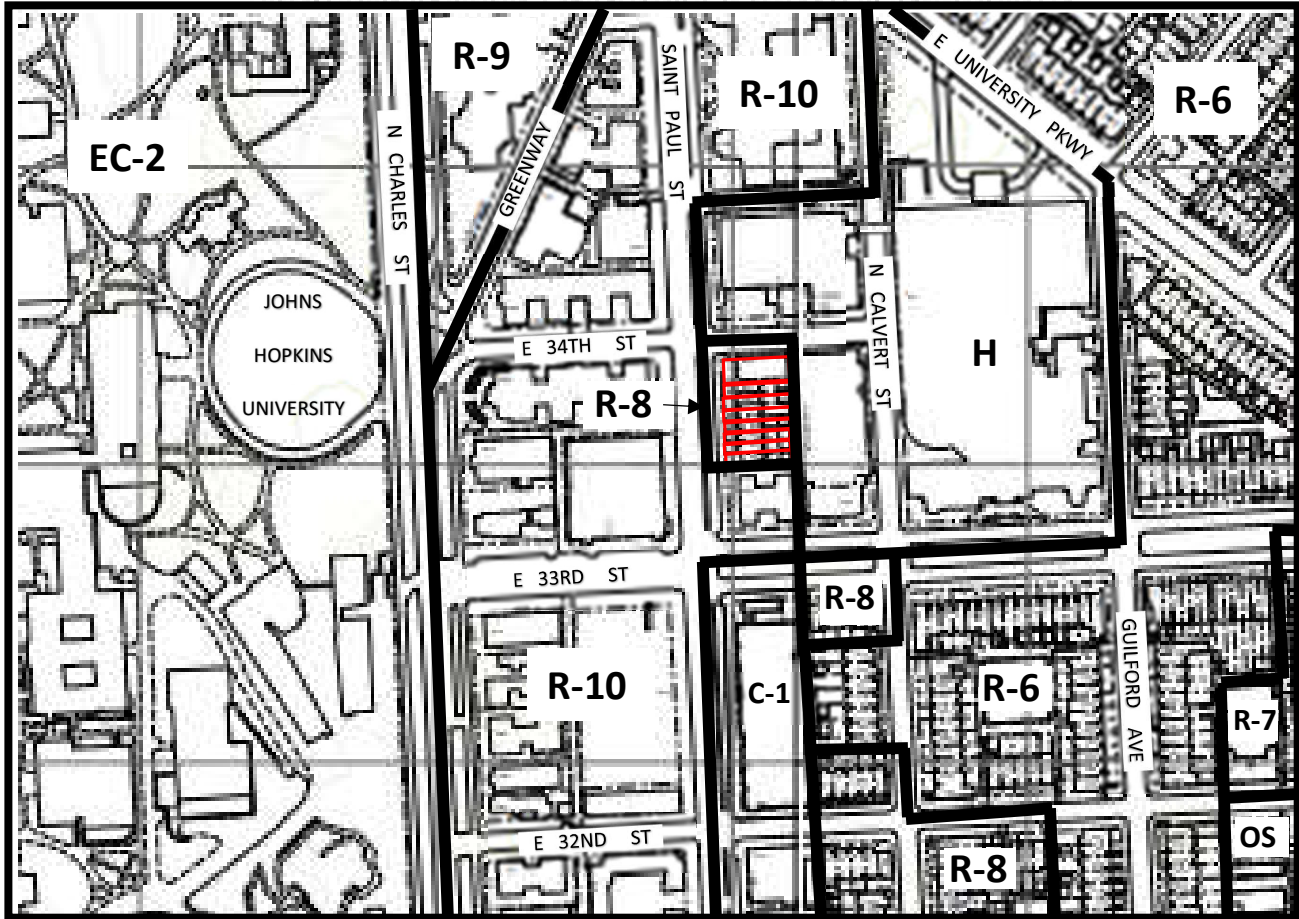
Amendment No. 1

On page 1, in line 2, strike, “**3301 Saint Paul Street and**”; and, on that same page, in lines 3 and 15, in each instance, strike “3301,”; and, on that same page, strike beginning with “9,” in line 4 down through and including “10” in line 5 and substitute, “and 9”; and, on that same page, in line 16, strike “9, and 10” and substitute, “and 9”.

Amendment No. 2

Strike the accompanying plat in its entirety and substitute with the attached.

**SHEET NO. 25 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



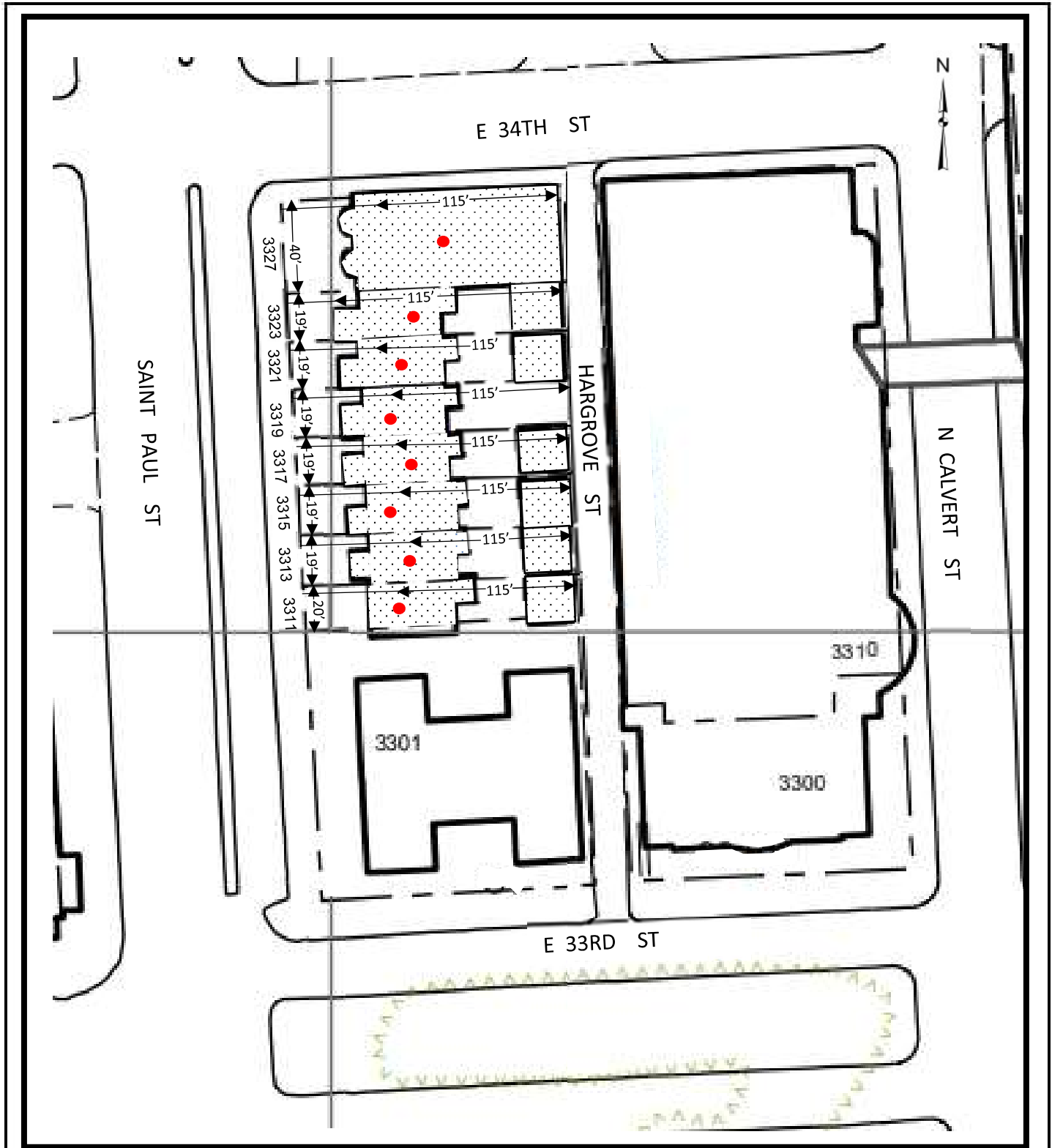
Scale: 1" = 300'

In Connection With The Properties Known As
Nos. 3311, 3313, 3315, 3317, 3319, 3321,
3323 AND 3327 SAINT PAUL STREET. The
Applicant Wishes To Request The Rezoning
Of The Aforementioned Properties From R-8
Zoning District to C-1 Zoning District, As
Outlined In Red Above.

WARD 12 SECTION 19
BLOCK 3871 LOTS 1,3,4,5,6,7,8 & 9

MAYOR

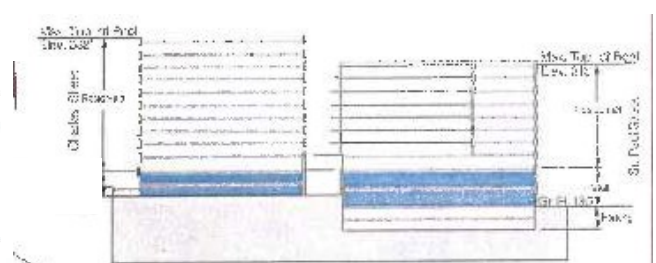
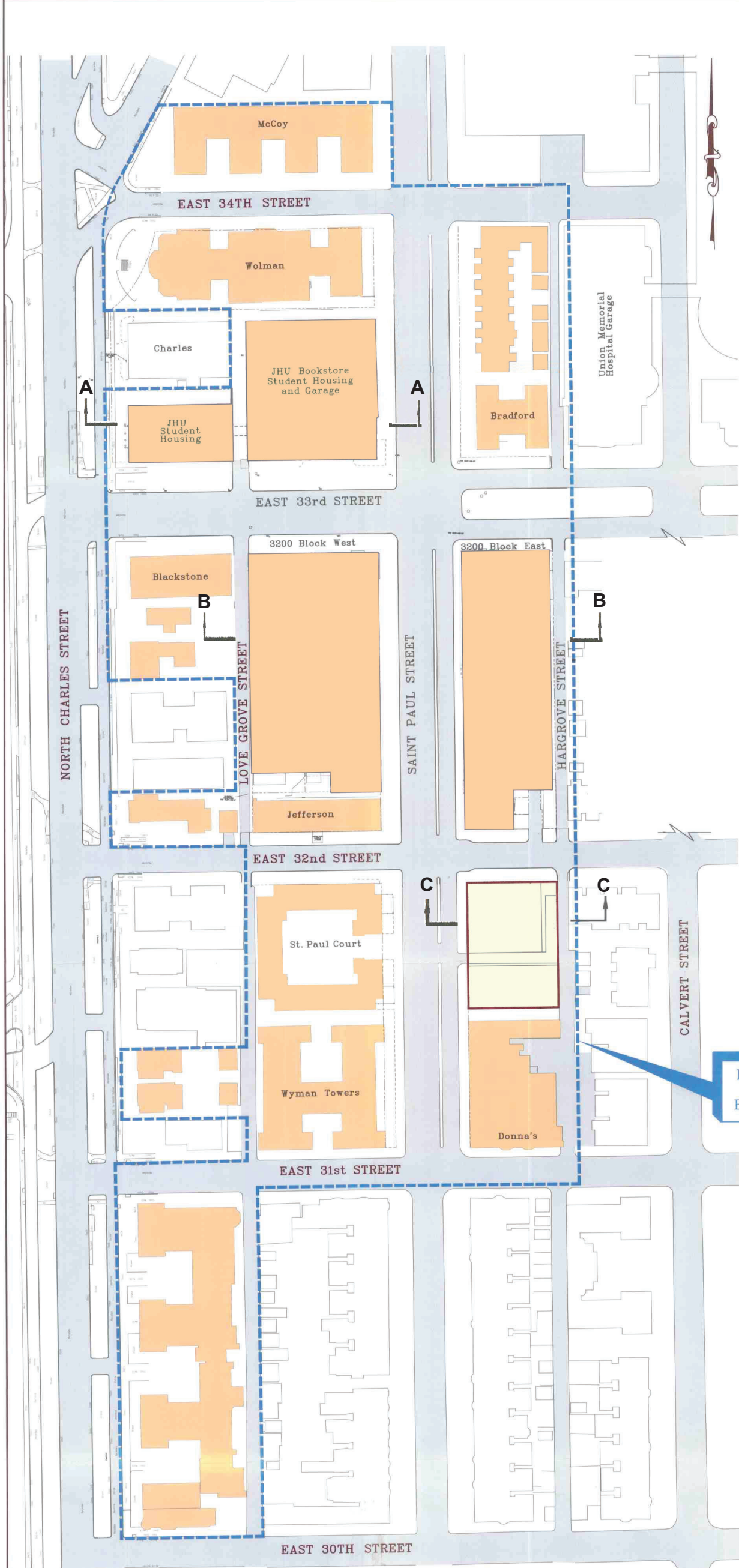
PRESIDENT CITY COUNCIL



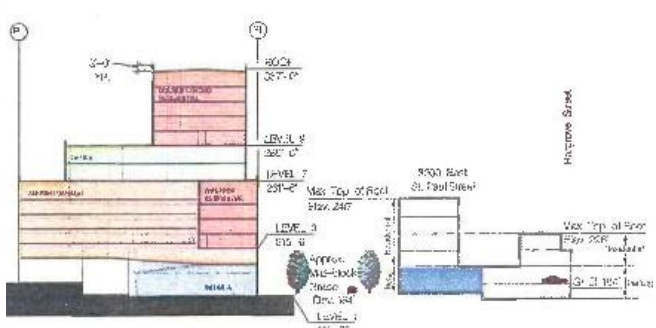
Scale: 1" = 60'

3311, 3313, 3315, 3317, 3319, 3321, 3323 and 3327 SAINT PAUL STREET

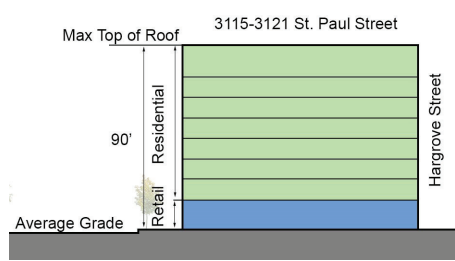
Sheet #2



SECTION A - A
Not to Scale



SECTION B - B
Not to Scale



SECTION C - C
Not to Scale

PROPOSED PUD BOUNDARY

MAYOR	DATE
COUNCIL PRESIDENT	DATE

Notes:
Maximum top of roof elevations do not include penthouses for mechanical rooms, cooling towers and or any required mechanical space or equipment.
Cross sections are shown for general information only and are subject to change.

- Notes:
- The Build-Out Plan is to illustrate the building height and massing limitations. The final architectural and site design for each building and structure is subject to the Planning Commission for approval.
 - The unused permitted floor area ratio (FAR) and unused permitted number of dwelling units in the 3200 Block of St. Paul Street, east and west side ("3200 St. Paul Project") and the JHU properties consisting of Area G, McCoy, Wolman and Bradford Buildings ("JHU Project") may be transferred within buildings within each Project, provided that the aggregate permitted FAR and permitted number of dwelling units for each Project is not exceeded.

LEGEND

- EXISTING BUILDINGS TO REMAIN
- FUTURE BUILDING FOOTPRINT
- PROPOSED LIMIT PUD BOUNDARY



NORTH CHARLES VILLAGE PUD

ILLUSTRATIVE PRELIMINARY BUILD-OUT PLAN

PROJECT: 101-NORTH CHARLES VILLAGE PUD, BALTIMORE, MARYLAND, SEPTEMBER 2003

**STATEMENT OF INTENT
FOR**

Planned Unit Development – Amendment 3 – North Charles Village

1. Applicant's Contact Information:

Name: MCB Charles Village LLC c/o Caroline L. Hecker, Rosenberg Martin Greenberg, LLP

Mailing Address: 25 S. Charles Street, 21st Floor, Baltimore, MD 21201

Telephone Number: (410) 727-6600

Email Address: checker@rosenbergmartin.com

2. All Proposed Zoning Changes for the Property: Amend North Charles Village Planned Unit Development to permit development of 3115-3119 St. Paul St. and 3121 S. Paul St.

3. All Intended Uses of the property: Residential and commercial

4. Current Owner's Contact Information:

Name: MCB Charles Village LLC

Mailing Address: 2002 Clipper Park Road, Suite 105,
Baltimore, MD 21211

Telephone Number: _____

Email Address: _____

5. Property Acquisition:

The property was acquired by the current owner on December 30, 2020
by deed recorded in the Land Records of Baltimore City in Liber MB 22672, Folio 001.

6. Contract Contingency:

(a) There is ___ is not X a contract contingent on the requested legislative authorization.

(b) If there is a contract contingent on the requested legislative authorization:

(i) The names and addresses of all parties on the contract are *{use additional sheet if necessary}*:

(ii) The purpose, nature and effect of the contract are:

7. Agency:

(a) The applicant is ___ is not X acting as an agent for another.

(b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority stockholders of any corporation, are as follows *{use additional sheet if necessary}*: N/A

AFFIDAVIT

I, Caroline L. Hecker, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information and belief.



Caroline L. Hecker, Authorized Agent for Applicant

September 12, 2023

Date

**STATEMENT OF INTENT
FOR**

Planned Unit Development – Amendment 3 – North Charles Village

1. Applicant's Contact Information:

Name: MCB Charles Village LLC c/o Caroline L. Hecker, Rosenberg Martin Greenberg, LLP

Mailing Address: 25 S. Charles Street, 21st Floor, Baltimore, MD 21201

Telephone Number: (410) 727-6600

Email Address: checker@rosenbergmartin.com

2. All Proposed Zoning Changes for the Property: Amend North Charles Village Planned Unit Development to permit development of 3115-3119 St. Paul St. and 3121 S. Paul St.

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Mailing Address: 2002 Clipper Park Road, Suite 105,
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(ii) The purpose, nature and effect of the contract are:

7. Agency:

(a) The applicant is ___ is not X acting as an agent for another.

(b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority stockholders of any corporation, are as follows *{use additional sheet if necessary}*: N/A

AFFIDAVIT

I, Caroline L. Hecker, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information and belief.

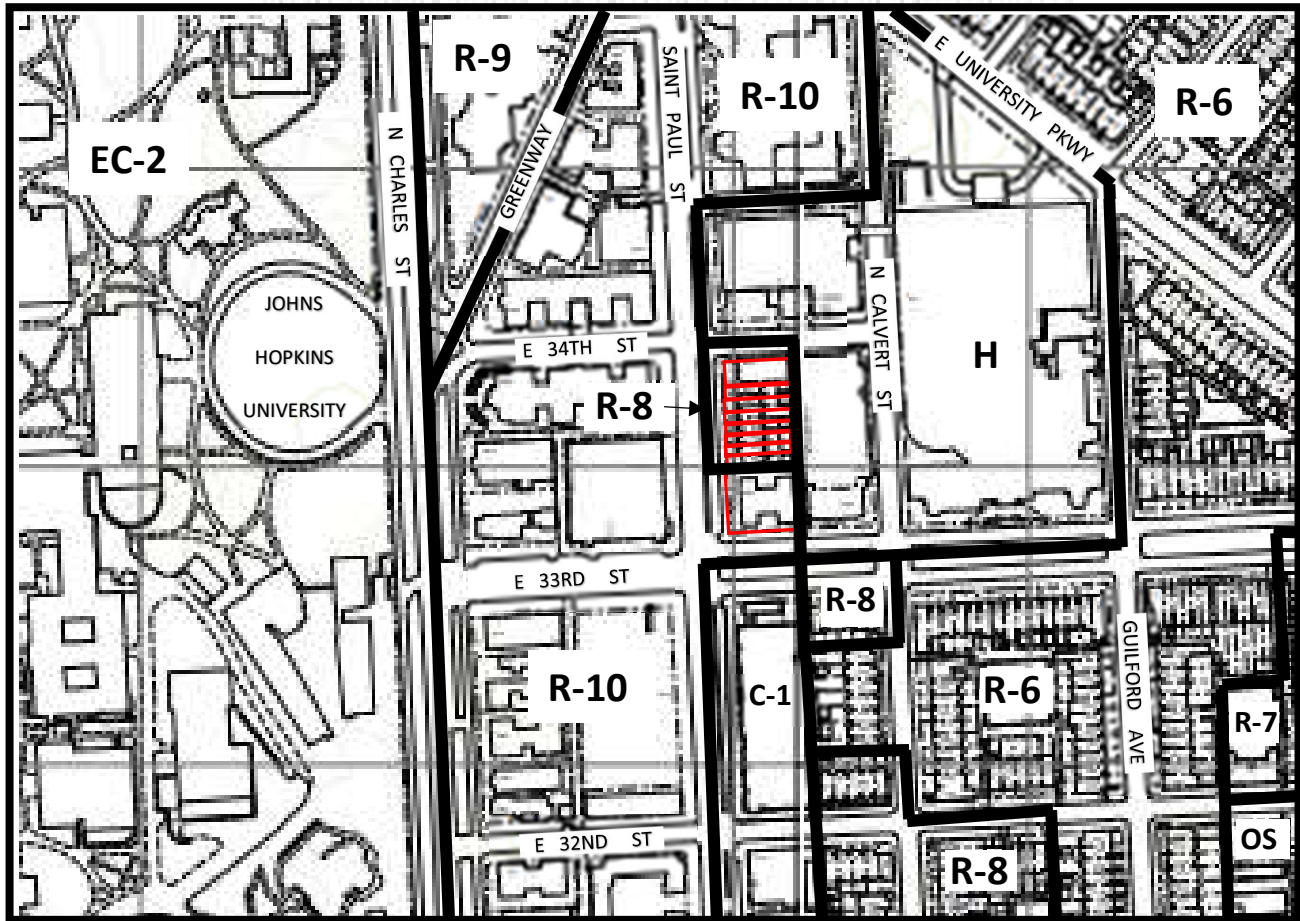


Caroline L. Hecker, Authorized Agent for Applicant

September 12, 2023

Date

**SHEET NO. 25 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 300'

In Connection With The Property Known As No. 3301 SAINT PAUL STREET. The Applicant Wishes To Request The Rezoning Of The Aforementioned Property From R-10 Zoning District to C-1 Zoning District, As Outlined In Red Above.

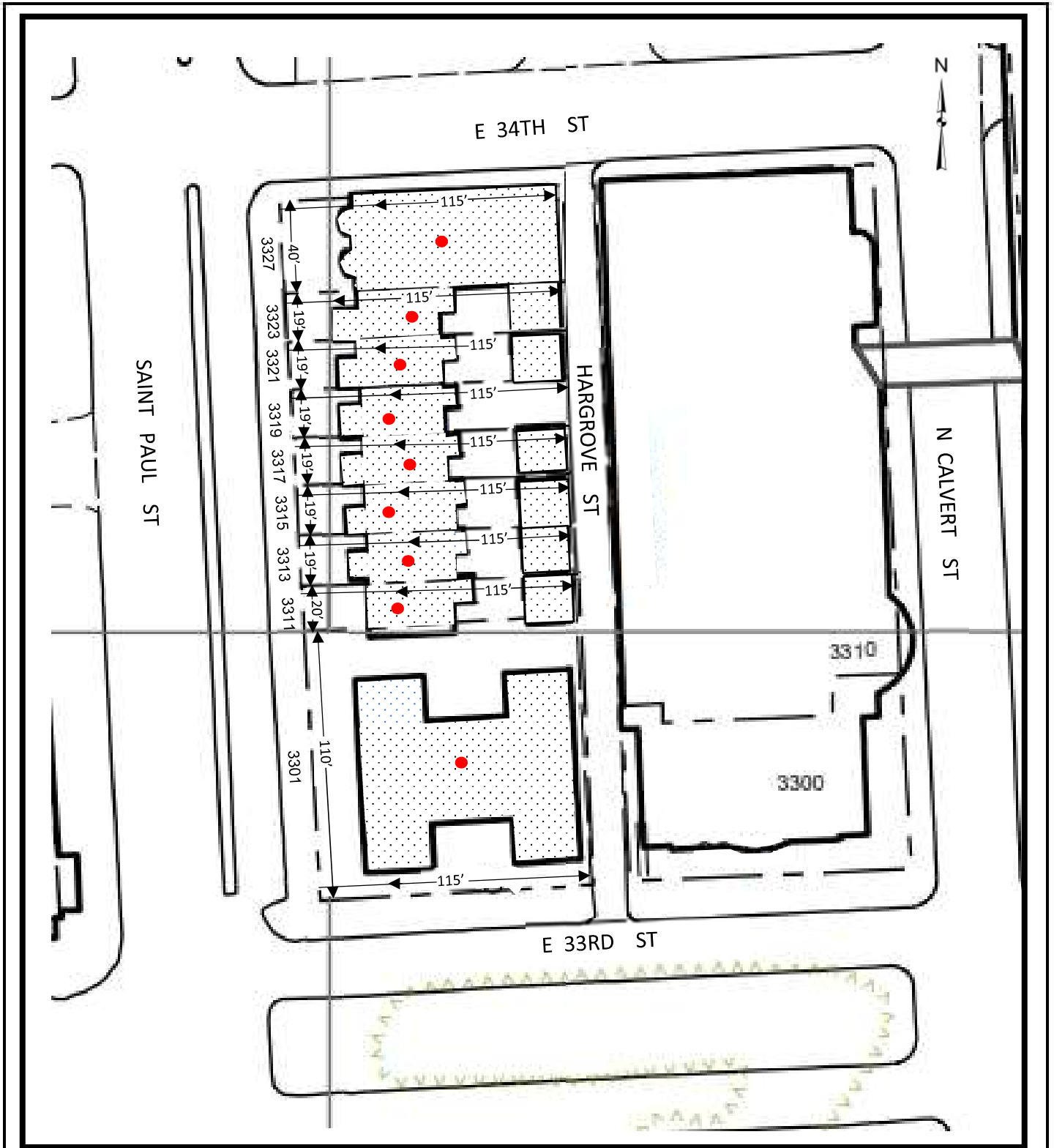
In Connection With The Properties Known As Nos. 3311, 3313, 3315, 3317, 3319, 3321, 3323 AND 3327 SAINT PAUL STREET. The Applicant Wishes To Request The Rezoning Of The Aforementioned Properties From R-8 Zoning District to C-1 Zoning District, As Outlined In Red Above.

WARD 12 SECTION 19
BLOCK 3871 LOT 10

WARD 12 SECTION 19
BLOCK 3871 LOTS 1,3,4,5,6,7,8 & 9

MAYOR

PRESIDENT CITY COUNCIL



Scale: 1" = 60'

3301, 3311, 3313, 3315, 3317, 3319, 3321, 3323 and 3327 SAINT PAUL STREET

Sheet #2

ZONING ORDINANCE REQUEST

STATEMENT OF INTENT

FOR

{Property Address}

1. Applicant's Contact Information:

Name:

Mailing Address:

Telephone Number:

Email Address:

2. All Proposed Zoning Changes for the Property:

3. All Intended Uses of the Property:

4. Current Owner's Contact Information:

Name:

Mailing Address:

Telephone Number:

Email Address:

5. Property Acquisition:

The property was acquired by the current owner on _____ by deed recorded in the
Land Records of Baltimore City in Liber _____ Folio _____ .

6. Contract Contingency:

(a) There is _____ is not _____ a contract contingent on the requested legislative authorization.

(b) If there is a contract contingent on the requested legislative authorization:

(i) The names and addresses of all parties to the contract are as follows *{use additional sheet if necessary}*:

(ii) The purpose, nature, and effect of the contract are:

7. Agency:

- (a) The applicant is is not acting as an agent for another.
- (b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority owners of any corporate entity are as follows *{use additional sheet if necessary}*:

AFFIDAVIT

I, _____, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.

Charles Hoffberger

Applicant's signature

Date

**CERTIFICATE OF MAILING
WRITTEN NOTICE TO PROPERTY OWNER(S)**

City Council Bill Number:

I HEREBY CERTIFY, under penalty of perjury, that the attached* document was mailed to the following:

A. Property Owner: Virginia Carry

B. Property Address: 3319 Saint Paul Street

or

C. _____ List of Property Owners

(Place a Check Mark Above & Attach A List of Property Owners with Addresses)

On the following date: March 13

Mailed By:

Applicant's Name: Chase Hoffberger

Applicant's Organization: AB Associates

Applicant's Title: Applicant

Applicant's Address: 225 E Redwood Street Suite 400G Baltimore MD 21202

Applicant's Telephone Number: 512-536-0763

**Note: Please attach a copy of the document that was mailed to the property owner(s).*

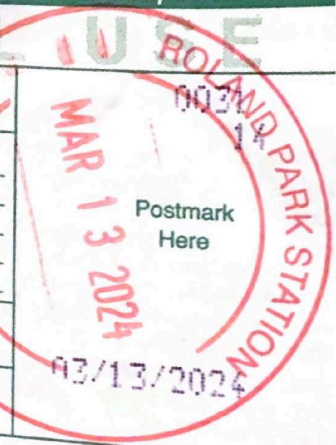
ET 420T 1074 13
2930 0225 0T20 6856
9589 0710 5270 0362

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Baltimore, MD 21218

Certified Mail Fee	\$4.40
Extra Services & Fees (check box, add fees as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.92
Total Postage and Fees	\$5.32



Sent To *Virginia Curry*
Street and Apt. No., or PO Box No. *3319 Saint Paul St*
City, State, ZIP+4® *Baltimore MD 21218*

PS Form 3800

**BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 23-0432**

The Economic and Community Development Committee of the Baltimore City Council will conduct a public hearing on City Council Bill No. 23-0432 on April 2, 2024, at 2:00 p.m. in the Clarence “Du” Burns Chamber, City Hall, 100 N. Holliday Street, 4th Floor, Baltimore, MD 21202. Information on how the public can participate in the hearing virtually, via Webex, will be available at <https://baltimore.legistar.com/Calendar.aspx>.

Rezoning – 3301 Saint Paul Street and 3311 through 3327 Saint Paul Street

For the purpose of changing the zoning for the properties known as 3301, 3311, 3313, 3315, 3317, 3319, 3321, 3323, and 3327 Saint Paul Street (Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9, and 10), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

Applicant: AB Associates

For more information, contact Committee Staff at (410) 396-1091.

NOTE: This bill is subject to amendment by the Baltimore City Council.

SHARON GREEN MIDDLETON
Chair

Affidavit of Publication

To: AB Associates - Chase Hoffberger
225 E Redwood Street
Baltimore, MD, 21202

Re: Legal Notice 2591227,
PUBLIC HEARING ON BILL NO. 23-0432

We hereby certify that the annexed advertisement was published in Maryland The Daily Record, a Daily newspaper published in the State of Maryland 1 time(s) on the following date(s):
03/18/2024

By



Joy Hough
Authorized Designee of the Publisher

Baltimore City

BALTIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO. 23-0432

The Economic and Community Development Committee of the Baltimore City Council will conduct a public hearing on City Council Bill No. 23-0432 on April 2, 2024, at 2:00 p.m. in the Clarence "Dix" Burns Chamber, City Hall, 100 N. Holliday Street, 4th Floor, Baltimore, MD 21202. Information on how the public can participate in the hearing virtually, via Webex, will be available at <https://baltimore.legistar.com/Calendar.aspx>.

Rezoning - 3301 Saint Paul Street and 3311 through 3327 Saint Paul Street

For the purpose of changing the zoning for the properties known as 3301, 3311, 3313, 3315, 3317, 3319, 3321, 3323, and 3327 Saint Paul Street (Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9, and 10), as outlined in red on the accompanying plat, from the R-S Zoning District to the C-1 Zoning District.

Applicant: AB Associates

For more information, contact Committee Staff at (410) 396-1001.

NOTE: This bill is subject to amendment by the Baltimore City Council.

SHARON GREEN MIDDLETON

Chair

ml18 2591227

MARYLAND
THE DAILY RECORD

A Division of BridgeTower Media
P.O Box 745929
Atlanta, GA 30374-5929

Invoice # 745682582
Invoice Date 03/18/2024
Customer AB Associates, ID: 247510
Payment Terms PrePay
Due Date 03/18/2024

BILLING ADDRESS

Chase Hoffberger
AB Associates
225 E Redwood Street
Baltimore MD 21202

ADVERTISER

AB Associates, ID: 247510
225 E Redwood Street
Baltimore MD 21202

INVOICE REF	MEDIA	DATE	PO	EDITION	QTY	AD SIZE
1007278998	The Daily Record (BLT) - Public Notice	03/18/24		Legal - Government	1	Legal - Government

Thank you for your business!
IOID: 2591227
Index: Government - Baltimore City
Category: Baltimore City
Affidavit Reference: PUBLIC HEARING ON BILL NO. 23-0432

Subtotal	\$135.54
Tax	\$0.00
Credits	\$0.00
BALANCE DUE	\$135.54

REMITTANCE STUB TO BridgeTower Media

Invoice #	745682582 The Daily Record (BLT) - Public Notice	Date	03/18/2024	Customer ID	ID: 247510, AB Associates
Amount Enclosed:					

Acceptable Payment Methods

<p>PREFERRED METHOD To Pay by ACH Transfer: Bank: Bank of America Send ACH remittance email to ar@bridgetowermedia.com Account Number: 237025443017 Routing: 053000196</p>	<p>OTHER METHODS To Pay by Check use the following address: Please include invoice number on check BridgeTower OpCo, LLC P.O Box 745929 Atlanta, GA 30374-5929</p>	<p>To Pay by Credit Card: Use the Click to Pay Online link located on the email you received or Contact Accounts Receivable: 866-802-8214 Please have your Invoice Number and Credit Card Number Ready</p>	<p>To Pay by Wire Transfer: Name: BridgeTower OpCo, LLC Bank: Bank of America Swift Code: BOFAUS3N Bank Address: 100 North Tryon Street Charlotte, NC 28255 Account Number: 237025443017 Routing: 053000196</p>
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**Baltimore City Council
Certificate of Posting - Public Hearing Notice**

Today's Date: March 18, 2024

City Council Bill No.: 23-0432



I HEREBY CERTIFY, under penalty of perjury, that a sign was posted at:
**Address: 3311- 3327 Saint Paul Street – E. 34 th. Street side of 3327 St. Paul; St.
(2 of 2)**

Date Posted: March 13, 2024

Name: AB Associates c/o Chase Hoffberger

Address: 225 E. Redwood Street

Baltimore, Md. 21202

Telephone: 512-536-0763

- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202